

## **REMARKS**

Claims 14-42 are pending in the application. Independent claims 14, 32, and 37 have been amended to recite that the head restraint and a method for adjusting the head restraint include a support having at least one support leg for fixing the head restraint to a vehicle seat, and the adjusting arrangement includes a locking plate, such that in the first operating position, an angle of the head restraint is adjustable by engaging the locking plate with an adjusting arm having a plurality of predefined locking positions, and in the second operating position, the height of the head restraint is adjustable by engaging the locking plate with the at least one support leg having a second plurality of locking positions (locking elements of the support leg). The amendments are fully supported by the application as originally filed (see, e.g., specification at page 7, lines 13-17; page 8, line 21 to page 9, line 7; and page 10, lines 4-20).

Claims 14, 15, 20-27, and 30-33 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent 4,256,341 to Goldner et al. ("Goldner"). Claims 14, 15, 20-27, and 30-33 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent 4,606,578 to Yasui. Claims 14-27 and 30-36 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent 4,640,549 to Yokota. Claims 14-27 and 30-36 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent 4,668,014 to Boisset. Claims 14, 15, 20-27, and 30-33 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent 4,678,232 to Ishida et al. ("Ishida '232"). Claims 14, 15, 20-27, and 30-33 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent 4,798,415 to Tanino et al. ("Tanino"). Claims 14, 15, 20-27, and 30-33 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent 4,830,434 to Ishida et al. ("Ishida '434"). Claims 14, 15, 20-27, and 30-33 were rejected under 35 USC 102(e) as being anticipated by U.S. Patent 6,899,395 to Yetukuri et al. ("Yetukuri"). Claims 14, 15, 20-27, and 30-33 were rejected under 35 USC 102(e) as being anticipated by U.S. Patent 6,935,696 to Gauthier et al. ("Gauthier"). Claims 37-42 were rejected under 35 USC 103(a) as being unpatentable over Yokota. Claims 37-42 were rejected under 35 USC 103(a) as being unpatentable over Boisset. These rejections are respectfully traversed.

Regarding the rejection of independent claims 14, 32, and 37 over the above references, the above references each do not teach or suggest a head restraint or a method for adjusting the head restraint in which an adjusting arrangement includes a plurality of positions arranged in a predetermined order of a non-operating position that prevents adjustment of the angle and the height of the head restraint, a first operating position that permits adjustment of the angle of the head restraint, and a second operating position that permits adjustment of the height of the head restraint, where the adjusting arrangement includes an operating element and a locking plate for selecting one of the plurality of positions in the predetermined order, such that:

in the first operating position, an angle of the head restraint is adjustable by engaging the locking plate with an adjusting arm having a plurality of predefined locking positions, and  
in the second operating position, the height of the head restraint is adjustable by engaging the locking plate with the at least one support leg having a second plurality of locking positions.

For example, in Goldner, only a height of a padded support member 2 is adjusted when a stop spring 19 engages in notches 20 of support bars 8 (see, e.g., column 4, lines 33-37 of Goldner).

In Yasui, separate adjustment mechanisms (X, Y) are used to adjust the height and inclination of a heat-rest body (A) (see, e.g., column 2, lines 37-39 of Yasui).

In Yokota, a plurality of locking positions are provided to adjust a movable frame 6 relative to a fixed frame 5 (see column 3, lines 65-68), but there is no teaching or suggestion of the Applicants' claimed "adjusting arrangement" for adjusting the angle and height of a head restraint based on different operating positions.

In Boisset, height and slope of a headrest are adjusted according to separate mechanisms (see, e.g., column 2, lines 54-60).

In Ishida '232, similar to Yokota, a distinct number of locking positions are provided, but there is no teaching or suggestion of the Applicants' claimed "adjusting arrangement."

Similarly, Tanino, Ishida '434, Yetukuri, and Gauthier disclose height and/or angle adjustments only through separate mechanisms, where there is no teaching or suggestion of the Applicants' claimed "adjusting arrangement" for adjusting the angle and height of a head restraint based on different operating positions.

In particular, in Yetukuri, a control member 66 is used to engage a cam 50 to provide fore and aft adjustment, but there is no teaching or suggestion of the Applicants' claimed first and second operating positions "being selectable in the predetermined order," where "in the first operating position, the angle of the head restraint is adjustable while the height of the head restraint remains locked" (independent claims 14 and 32) or "the step of operating the element to select the second operating position occurs only after the step of operating the operating element to select the first operating position" (independent claim 37).

It is believed that the application is in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

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Date: March 27, 2008

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